

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re:	Dale C. Flanders <i>et al.</i>	Confirmation No:	4350
Application No:	09/645,827	Group:	1725
Filed:	August 25, 2000	Examiner:	Johnson, Jonathan J.
For:	Optical System Production System		
Customer No.:	2523		
Attorney Docket No.	1000.0006		

REQUEST TO WITHDRAW SUPPLEMENTAL EXAMINER'S ANSWER

FACSIMILE: **571-273-8300**
Mail Stop Appeal Brief Patents
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

It is believed that the pending Supplemental Examiner's Answer of November 16, 2006 does not comply with the rules.

Page 4 of the pending Supplemental Examiner's Answer contains a new rejection of the claims. Specifically, claims 17-20 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite.

This new rejection renders the statement of "Issues" of the Supplemental Examiner's Answer and Applicants' Brief retroactivity incorrect.

The making of this new rejection would seem in conflict with Rule 41.43(a)(2), which apparently governs the pending Supplemental Examiner's Answer.

January 16, 2007
Application No.: 09/645,827
Attorney Docket No.: 1000.0006

For these reasons, Applicants-Appellants believe that Supplemental Examiner's Answer should be withdrawn.

Should any questions arise, please contact the undersigned.

Respectfully submitted,

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Date: January 16, 2007